

FOURTH DAY

(Wednesday, January 18, 1961)

The Senate met at 9:45 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Schwartz
Hazlewood	Smith
Kazen	Weinert
Lane	Willis
Martin	

Absent—Excused

Herring	Krueger
Hudson	Secrest

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"O God our Father, we come before Thee under renewed obligations and responsibilities. Bless the president who presides over this body, together with all who serve in this Senate, and make us to remember that we are to love mercy, walk humbly, fear God and keep His commandments, for this is the whole duty of man. We pray in the name of Him who was meek and lowly in heart. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Owen.

Senator Herring was granted leave of absence for today on account of important business on motion of Senator Parkhouse.

Senator Krueger was granted leave

of absence for today on account of important business on motion of Senator Baker.

Senator Secrest was granted leave of absence for today on account of important business on motion of Senator Parkhouse.

**House Concurrent Resolution 6
on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 6, Providing a Joint Session to hear address of Governor Price Daniel.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 19

Senator Moffett offered the following resolution:

Whereas, On January 17, 1961, the Midwestern University Choir of Wichita Falls, Texas, was privileged to participate in the Inaugural Program at the Austin Municipal Auditorium honoring Governor and Mrs. Price Daniel and Lieutenant Governor and Mrs. Ramsey; and

Whereas, The performance of the Midwestern University Choir constituted a prominent part of the Inaugural Program; now, therefore, be it

Resolved, That the Senate of the 57th Legislature does hereby extend congratulations and sincere appreciation to the Midwestern University Choir of Wichita Falls, Texas, for its commendable performance in the Inaugural Program on the above mentioned occasion; and be it further

Resolved, That the appreciation of all those who participated in the Inaugural Program be extended to the members of the Midwestern University Choir and its director, Mr. William V. Boland, for bringing this choir of 82 trained voices to the State Capitol at Austin, Texas, to participate in the Inaugural Program of January 17, 1961, and for the assistance rendered by Mr. William Yardley, Dean of Students, and Mrs. Viola Grady, Dean of Women, at Midwestern University; and be it further

Resolved, That a copy of this reso-

lution be mailed to Dr. Travis A. White, President of Midwestern University, and to the other members of the staff heretofore named, and also that a copy be sent to the Librarian of Midwestern University.

The resolution was read and was adopted.

Senate Resolution 20

Senator Hardeman offered the following resolution:

Whereas, Occupying the central part of the United States, Kansas was admitted to the Union under the Wyandotte Constitution, adopted January 29, 1861; and

Whereas, Since it was first visited by Coronado in 1541, in search of the wealth of "Quivera," followed by a brief French occupation from 1719-1725, the area remained the undisturbed possession of Indians until 1803 when it passed to the United States as part of the Louisiana Purchase; and

Whereas, With the development of Santa Fe as a trading Center and with the great Western trek of emigrants to Salt Lake City and California the land of Kansas became the route of regular caravans of prairie schooners; and

Whereas, Kansas became the storm center of national political passion and its history of primary impact in the preliminary drama of the War Between the States, despite the enactment of legislation designed to avoid mortal combat, such as the Missouri Compromise of 1850 and the Kansas-Nebraska Act of 1854; and

Whereas, The State suffered the ravages of guerilla warfare and border raids from 1861-1865 as the result of the pro-slavery and anti-slavery conflicts, which saw the sacking of various towns, followed by Indian raids and battles until about 1873 as the result of the wholesale and wanton slaughter of the buffalo—the chief source of food of the Redman; and

Whereas, With the extension of transcontinental rail lines across Kansas, it was to gain undying fame as the destination of the great cattle drives from Texas and the Southwest over such famous trails of yesteryear as the Chisholm and the Jones and Plummer, to the shipping points and railheads of Hays City, Caldwell, Ellsworth, Newton, Wichita, Abilene

and Dodge City, "The Cowboy Capitol," each destined to win a place in history and in legend through the exploits and escapades of such noted cowmen, merchants, gunfighters, marshals and gamblers as Wyatt Earp and his brothers—Morgan, James and Virgil, Wild Bill Hickok, Bat, Jim and Ed Masterson, Ben and Bill Thompson of Austin, Texas, "Doc" Holliday and "Big Nose Kate," Phil Coe, Luke Short, John Wesley Hardin and his cousins, the Dixons and the Clements brothers, Dora Hand and Fannie Garretson, the Younger Brothers, the James boys, Shanghai Pierce and "Spike" Kenedy, both of Texas, Joseph G. McCoy, T. C. Henry, Robert Wright, Mayor "Dog" Kelley of Dodge City, Clay Allison, Chalk Beeson, to mention a few of the more famous and notorious and more recently revived through television and radio channels by the popular fictional places and characters, Marshal Dillon, his able deputy "Chester," "Doc" Adams and "Miss Kitty" of the Long Branch, the Dodge House; and

Whereas, As written by Honorable John F. Kennedy, in "Profiles of Courage," "in a lonely grave, forgotten and unknown" lies "the man who saved a President" and who, as a result, may well have preserved for ourselves and our posterity, constitutional government in the United States—the man who, in 1868, performed, what one historian has called "the most heroic act in American History, incomparably more difficult than any deed of valor upon the field of battle"—but a United States Senator from Kansas, whose name few recall—Hon. Edmund G. Ross—voted "Not Guilty" on the corrupt impeachment charges instigated, by the diseased, distorted, amoral and prejudiced mind of one Thaddeus Stevens, member of the United States House of Representatives from Pennsylvania, against President Andrew Johnson; and

Whereas, With the strengthening of organized society and establishment of law and order Kansas emerged upon an era of unprecedented agricultural development, economic prosperity and educational accomplishments which has enabled the State to attain a position of leadership in the commonwealth of States; and

Whereas, Its contributions to the cultural life of the Nation are found among such celebrated writers, painters and scientists as William Allen

White, Edgar Lee Masters, Dorothy Canfield Fisher, Damon Runyon, William Inge, William L. White, Eugene F. Ware, Father Francis J. Finn, Henry Varnum Poor, III, John Steuart Curry, Edwin Emory Slosson, Vernon Lyman Kellogg, Ernest Fox Nichols, Hamilton Perkins Cady, Drs. Karl A. and William C. Menninger, each outstanding in his particular field; and

Whereas, It is the desire of the Senate of Texas to extend the congratulations of the people of the State of Texas to the people of their sister-commonwealth on the occasion of the Centennial of the Sunflower State as a member of the Union and to wish it God-speed in the Century ahead; now, therefore, be it

Resolved, By the Senate of Texas, that the congratulations of the people of Texas be and they are hereby expressed to the people of the State of Kansas on the Centennial Anniversary of its Statehood; and be it further

Resolved, That copies of this Resolution under the Seal of the Senate be forwarded by the Secretary of the Senate to the Governor of Kansas, to the President of the Senate of Kansas, to the Speaker of the House of Representatives of Kansas, to the members of the Kansas delegation in the United States Congress, to the Secretary of State of the State of Kansas, and to Mr. James Arness, known as "Marshal Dillon," Miss Amanda Blake, known as "Miss Kitty," Mr. Dennis Weaver, known as "Chester," and to Mr. Milburn Stone, known as "Doc Adams."

The resolution was read and was adopted.

Committee to Escort Governor to Joint Session

The President announced the appointment of the following committee pursuant to the provisions of S. C. R. No. 5 to escort the Honorable Price Daniel to the Joint Session: Senators Patman, Creighton, Calhoun, Martin and Schwartz.

Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

S. C. R. No. 4, Designating March

6-10, 1961, as Public Schools Weeks in Texas.

S. C. R. No. 5, Providing Joint Session to hear address of Governor Price Daniel on Wednesday, January 18, 1961.

Senate Concurrent Resolution 7

Senator Martin offered the following resolution:

S. C. R. No. 7, Allocating additional space in the State Capitol to the State Senate.

Whereas, It is provided by prior law that after the completion of the Supreme Court Building and the removal of the offices of the Supreme Court, the Court of Criminal Appeals and the Attorney General, the space vacated in the State Capitol should be allocated to the Legislature in accordance with its direction; now, therefore, be it

Resolved, By the Senate of the State of Texas, with the House concurring, that the Senate be allocated and is hereby assigned the space formerly occupied by the Court of Criminal Appeals, the State's Attorney and the Court of Criminal Appeals offices located on the third floor of the Capitol Building on the east side of the north and south wings, but not to include the space formerly occupied by the Clerk of the Supreme Court nor the consultation room formerly occupied by the Supreme Court; and be it further

Resolved, That the Secretary of the Senate shall cause a copy of this resolution to be directed to the Executive Director of the Board of Control, and the said Executive Director is hereby directed to have the offices which might be now occupied on a temporary basis vacated and that the said Board of Control cooperate in the furnishing or possible reconstruction of these offices into suitable space to be occupied by the State Senate.

The resolution was read.

On motion of Senator Martin and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 21

Senator Roberts offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. C. Truett Smith, Wylie, Texas, and Mr. Henry Burton, Wylie, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Roberts by unanimous consent presented the guests to the Members of the Senate.

Presentation of Guests

Senator Parkhouse by unanimous consent presented his son Jerry, and his friends Joan and Pete Kargakos of Dallas.

House Concurrent Resolution 4 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 4, Providing for payment of inaugural expenses to be made out of the Legislative Expense Fund of the Fifty-seventh Legislature.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Joint Session

(To hear address of Governor Price Daniel)

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 10:10 o'clock a.m.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

On invitation of the Speaker of the House, the President occupied a seat on the Speaker's Platform.

The President called the Senate to

order, and announced a quorum of the Senate present.

Honorable James A. Turman, Speaker of the House of Representatives, called the House to order, stated the purpose of the Joint Session and announced a quorum of the House present.

The Honorable Price Daniel, Governor of the State of Texas, accompanied by Mrs. Daniel, Miss Ellen Daniel, and party were announced by the Doorkeeper of the House.

The Governor's party was escorted to the Speaker's rostrum by Senators Patman, Creighton, Calhoun, Martin and Schwartz, on the part of the Senate, and Representatives Cannon, Spears, Ward, Wheatley, Hinson, Kilpatrick and Trevino, on the part of the House.

The Speaker of the House presented Representative C. W. Percy and he presented the Honorable Price Daniel to the Joint Session.

The Governor then delivered the following address:

TO THE MEMBERS OF THE FIFTY-SEVENTH LEGISLATURE:

I begin this message by repeating again my pledge of cooperation to you, Governor Ramsey, Speaker Turman, and the members of the Legislature. Although we serve separate branches of the government, the problems of the State are of equal concern to us. They can be solved by our working and reasoning together. It is in this spirit that I shall make recommendations to you, and in the same spirit I shall welcome your suggestions at all times.

CONDITION OF THE STATE

Article IV, Section 9, of the Texas Constitution provides:

"The Governor shall, at the commencement of each session of the Legislature . . . give to the Legislature information, by message, of the condition of the State; and he shall recommend to the Legislature such measures as he may deem expedient."

The general condition of our State is much better than the condition of our General Revenue Fund. In fact, the phenomenal growth of our State is largely responsible for our need of additional State revenue.

Our population growth has been far

above the national average. Our population increased 23%—to 9½ million—during the past ten years, and experts predict a population of 12 million by 1975. Over 80,000 additional school children enter the doors of our public schools each year. Business and industry continue to expand. Even with a slight recession, our industrial output increased in 1960. During the past two years, 475 new industrial plants were established in Texas, 472 existing plants were expanded, and 375 new plant locations were announced. It is because of this rapid growth and constantly increasing population, plus continued inflation and restriction of oil production, that our State is faced with the need for more money to operate its governmental functions.

CONDITION OF STATE FINANCES

On the financial condition of the State government, the total balance in all funds is approximately \$1 billion in cash and securities. Unfortunately, the one fund with a deficit, the General Revenue Fund, is the one which must bear most of the increase in cost of State services. The State Comptroller estimates that by the end of this fiscal year, the deficit in this fund will amount to \$63 million. It is now running in excess of that amount.

Although deficits have been the rule rather than the exception during many years of Texas history, they can become critical and costly. Today, the special funds of our State are losing interest on the money which is being deposited with the banks until the General Revenue deficit warrants are paid. About \$85 million in such warrants are now being held by Texas banks. To compensate the banks as much as possible, the State Treasurer places on deposit \$85 million in cash from other funds on which no interest is drawn. Otherwise, the \$85 million from special funds could be drawing at least 2½% interest on time deposit. This General Revenue Fund deficit has averaged \$67 million during the past twelve months, which means that State funds have lost at least \$1.5 million in interest during the year.

The State has suffered even greater loss from the publicity about its deficit. This information reaches people in other States through financial journals and other publications. It leaves a bad impression concerning

State government, not only upon our own people, but upon those who are thinking about moving here with their industries and families. Some refer to these deficiency warrants as "hot checks." Individual citizens are prosecuted for writing checks without having funds available to cover them.

For all of these reasons, the "pay-as-you-go" amendment to the Texas Constitution was adopted in an attempt to prevent deficit financing. When the procedure fails and a deficit occurs, the spirit and purpose of that provision of our Constitution require that the deficit be retired at the earliest possible time. Accordingly, under the powers of the Governor outlined in Section 5 of Article III of the Constitution, I hereby submit to you as an emergency matter the enactment of measures which will provide sufficient funds to retire the deficit before the end of the next fiscal year.

I shall make specific recommendations as to how this can be accomplished. First, however, it may be helpful to review how this deficit occurred and why it should be handled as an emergency separate from other revenue measures.

Two years ago, the 56th Legislature passed a substantial tax bill in an effort to retire the deficit and provide sufficient additional revenues to continue essential services of State government. I had recommended then, as I recommend to you today, that the deficit be retired separately from a new and permanent tax program. This recommendation did not prevail in the Legislature. Deficit financing was delayed, and finally it was lumped together with the continuing and recurring needs of the next biennium. The tax bill did not prove to be adequate, due in large measure to the decrease in oil production and the loss of revenue from the Severance Beneficiary Tax on natural gas as the result of the lawsuits filed by the gas pipeline companies.

The State has not been free of deficit for any month during the past two years. It will not be free of deficit at the end of any month in the next two years unless the Legislature promptly enacts special emergency revenue measures on which collections can begin during this fiscal year. If you wait until the needs of the next biennium are known and settled, the delay itself will lose millions of po-

tential revenue. If the debt is handled separately, the permanent tax bill for the next biennium can be set at much lower figures. Above all, the deficit should be treated and disposed of separately from the needs of the next biennium because it is a debt already incurred. We should not incur new obligations until arrangements have been made to retire the commitments already made.

My proposals for emergency legislation to retire the deficit are as follows:

1. Enactment for a period of twelve months of an additional 3% tax on the value of natural gas produced in this State, with a credit of such payments on the presently contested Severance Beneficiary Tax in the case of the few persons or companies who are liable for both taxes. This would prevent double taxation and would permit the State to receive \$22.5 million to apply on the deficit while the Severance Beneficiary Tax is tied up in court. I have been convinced that most of this production tax increase would be passed on to pipeline companies, whose purchase contracts call for payment of from one half to seven eighths of any increase in gas production taxes.

This plan has worked very well in Louisiana, where the natural gas tax is much higher than ours. When the Louisiana pipeline tax of 2¢ per MCF (1000 cubic feet) was contested in court, the Governor called the Legislature into session, and it promptly placed the 2¢ tax on production instead of pipelines. The average gas production tax of 2.3¢ per MCF in Louisiana today is more than twice as much as our present 7% of value (average value 11¢ per MCF) and is nearly twice as much as the total of 10% of value which I have recommended for a period of one year. At the Louisiana rate, Texas would have collected an additional \$50 million on natural gas during the past year.

Since 1951, Texas Governors and Legislatures have insisted that natural gas should bear a larger portion of the State's tax burden. The plan which I have suggested is one sure way to accomplish this purpose while the Severance Beneficiary Tax is being litigated. Indeed, we have precedent here in Texas for this procedure. In 1955, our gas production tax was raised to 9% for one year and to 8% the second year. This was upon recom-

mendation of Governor Shivers at a time when State finances were not in as serious condition as they are today.

2. Enactment of a two-factor formula (property and receipts) for figuring the base of the corporation franchise tax on companies engaged in interstate business. This would yield an additional \$10 million during the first year. This is a long overdue change in order to eliminate the discrimination which now exists in favor of foreign and interstate corporations (which engage in interstate sales) and against wholly domestic companies which engage only in Texas business.

Corporations wholly engaged in business within this State pay the corporation franchise tax on 100% of their capital, long term debt, etc., at the rate of \$2.75 per \$1,000 of capital. There are about 33,000 of these domestic companies, most of them chartered under the laws of Texas, which pay on this 100% ratio. They would not be affected at all by this proposal.

The proposal would affect only the 7,000 corporations engaged in interstate business and sales, which pay only on that percentage of their capital, debt, etc. that their receipts from sales in Texas bear to their receipts from outside the State. It matters not how much property, operations, or activity the interstate company has in Texas; its franchise tax base is determined solely by its sales in Texas. Thus, under the present law some foreign corporations have property and operations in this State 100 times as large as some of your home town wholly-domestic companies, and still pay less in corporate franchise tax than your own local companies. That is because they sell outside the State most of the products from their Texas capital and business. They have a tax haven here and a discrimination in their favor which exists in no other State except Washington.

For instance, one interstate gas pipeline company which has \$7 million of capital operating in this State pays no corporate franchise tax because it does not and will not sell any of its products in this State. Another interstate corporation has \$1,787,000 of capital operating in the State and pays only \$313 in corporate franchise tax. That is less than 1/10th of what Texas corporations engaged wholly in Texas business would pay on the same amount of capital.

All of the States, except Texas and Washington, have awakened to this discrimination and have applied tax formulas on both their franchise and corporate income taxes, based more nearly upon the actual capital and business operations of interstate companies within the borders of their States.

3. Enactment of legislation providing for financing the Colson-Briscoe farm-to-market road program out of gasoline taxes rather than the General Revenue Fund, thereby relieving this fund of an annual payment of \$15 million. This special farm-to-market road program has been of great benefit to our State, and it should be continued. However, the reasons for originally financing this program out of the General Revenue Fund no longer exists. The program was established in 1949 when there was a surplus of \$75 million in the General Revenue Fund and when there was only \$5 million for farm-to-market roads in the Highway Department funds. Today, there is no money in the General Revenue Fund, and there is \$35 million per year in Highway Department funds (the bond assumption surplus) earmarked and available for farm-to-market roads. The \$15 million program financed in the future from the highway fund, plus \$10 million Federal funds, would provide \$25 million in construction funds and build more than 1,500 miles of farm-to-market roads per year, and this would leave a balance in present highway funds of \$20 million per year for additional construction, improvement, and maintenance of farm-to-market roads. With over 33,000 miles of roads already constructed under the present program, it is obvious that this amount would sufficiently finance future construction at a rate far in excess of that which was possible when the Colson-Briscoe program was enacted.

There is an alternative way in which this transfer of financing can be made with even more money available for farm-to-market and all other road construction, as well as \$16 million in additional funds for public schools during the next biennium. This alternative is a 1¢ increase in the gasoline tax in accordance with the proposal outlined in detail in the report of the State Finance Advisory Commission, pages 49-51. Our gasoline tax today is next to the lowest

in the Nation. It is from one to two cents below our adjoining States. The new Federal one cent tax automatically expires on July 1 unless extended by Congress. If Texas and other States show their need for this tax, I believe that extension of the Federal tax can be defeated. If we indicate by our actions that we do not need or will not use this tax, then the Congress is sure to extend the Federal levy. It will be another case of State inaction abdicating a tax source to the Federal government. At the last Governors' Conference, it was voted that the States need this additional one cent tax, and that the Governors should oppose re-enactment of the Federal tax. The result may well depend upon what this and other State Legislatures decide to do on this subject.

Regardless of the method followed to accomplish the purpose, it should be evident to all that a broke and indebted General Revenue Fund should no longer carry the load of \$15 million per year for construction of farm-to-market roads when present or future gasoline taxes could carry on the program.

4. Enactment of an enforcement and reporting statute to supplement our present Texas escheat law whereby money rightfully belonging to the State and held by banks, pipeline companies, and others can be obtained by the State as contemplated under our present laws. Similar legislation was proposed two years ago as an "abandoned property" or "conservator" act. I think its defeat was due principally to misunderstanding and misrepresentation of what the bill contained, because it has been enacted in other States with little or no opposition. This year the bill which I shall submit will be so clearly limited to enforcement of the present escheat law and reporting and collection of money which properly belongs to the State that it is inconceivable that persons or companies holding such funds could in good conscience oppose this measure. It is conservatively estimated that this law would enable the State to collect \$17 million now held by various persons and companies subject to the present escheat law on account of there being no other owners of the property. This estimate is \$3 million below that which was estimated two years ago on account of reports that sizable

amounts of these funds have been charged off or reported to rightful owners during the past two years. Legislation of this type is recommended by the Council of State Governments, the American Bar Association, and the Commission on Uniform State Laws. (See general explanation, page 53, State Finance Advisory Commission Report.)

The four measures which I have recommended (see summary on Exhibit I attached hereto) would net \$64,500,000 and retire the deficit within 12 months after their enactment.

If you prefer, there are other emergency measures which could be substituted for some of these, including a one-year 10% increase in all State taxes which were not increased last year. This would provide \$30 million. I would welcome any other suggestions. Whether you agree or not on the exact proposals recommended, I do sincerely hope that this Legislature will agree on the principle of financing the deficit on an emergency basis rather than allowing it to continue by spreading it out over the next two and a half years.

1961-1962 BIENNIUM BUDGET

With respect to appropriations for the next biennium under programs presently authorized, my budget recommendations were submitted to you on December 15, 1960, for a total of \$376,045,734 of general revenue funds as compared with the \$273 million which the Comptroller has estimated as income during the next biennium from present tax sources. Thus, it is evident that considerable new revenue is necessary to continue existing services with the minimum increases necessary for improvement of those services. In this connection, practically all of the increases are in the five programs most affected by the increase in population—public schools and colleges, public welfare, highways, hospitals, and correctional institutions. These five programs now take 96 cents of every tax dollar. (See Exhibit 4 attached hereto.) My recommended increases are 49% less than the requested increases made by the various State agencies concerned. Therefore, I feel that every possible economy has been applied although I would be pleased if the Legislature could find other reductions possible without decreasing the efficiency and adequacy of the services rendered by these agencies.

The Executive Budget includes substantial increases for our hospitals, special schools and correctional institutions, including funds for a paid juvenile parole system. It includes an approximate \$25 million increase in funds for higher education, including substantial increases in teaching salaries. This was recommended by both the Commission on Higher Education and the State Finance Advisory Commission. In this connection, and as a part of their recommendations, both commissions proposed an increase in college tuition, the former recommending a \$25 per semester increase for a total of \$10 million during the biennium and the latter recommending a \$50 increase per semester for a total of \$20 million during the biennium.

After carefully studying the need for this tremendous increase in the cost of higher education as compared with our present low college tuition, I recommend the \$50 per semester increase, provided that the Legislature continues the present scholarship provisions which make tuition scholarships available to any students who do not have the funds with which to pay tuition charges. Under this system, no student will be denied an education because of the tuition fee, and the great majority who are able to pay a reasonable fee will help pay approximately 16% of the revenue needed by our State-supported colleges and universities. Sixteen percent of the State's cost for a student's education would not appear to be an unreasonable amount for those who are able to pay it. This proposed tuition rate of \$100.00 a semester, or \$200.00 a year, will still keep Texas with one of the lowest tuition rates in the Nation for State-supported institutions, and with less than half of the rate charged by private and church-supported schools in this State. These comparisons and a complete discussion of the needs for higher education are contained in the report of the State Finance Advisory Commission, pages 10-16.

ADDITIONAL RECOMMENDATIONS

In addition to the spending recommendations contained in the printed budget document, there are at least two other programs which demand our attention:

First, the people of Texas by constitutional amendment authorized a

medical aid program for recipients of old-age assistance, and I recommend its implementation. The estimated cost is \$15,892,000 for the biennium. In this connection, a study is being made by the Texas Research League which may offer new suggestions for a successful program in this field and at a possible decrease in cost.

Second, the people of our State have indicated on many occasions during the past two years their support for improvements in our public schools, including teacher salary increases. I urge your consideration of the Hale-Aikin report, with enactment of as much of this program as can be accomplished at this session.

In this connection, I recommend the enactment of the proposals suggested by the State Finance Advisory Commission contained on pages 1-8 of its report, with the exception that I recommend a \$600 per year salary increase instead of the \$400 recommended by the Commission, and I also recommend enactment of a driver education program. A summary of these recommendations is contained in Exhibit 2 attached hereto.

The \$600 per year salary increase is in accordance with the recommendations of the Hale-Aikin Committee for a State minimum salary of \$3800. It is the most important item in the entire Hale-Aikin program because, in spite of the fact that we have increased teachers' salaries nearly 50% in the last ten years, other States have done better. Texas now ranks thirty-second among the fifty States in average classroom teaching salaries. Our present minimum salary of \$3200 is not sufficient to compete with the other States and with other employers for the services of trained school personnel. While our total population increased 23% during the last ten years, the number of scholastics increased more than 50%. We will need 10,000 new teachers a year to properly care for the new students and to replace those teachers who leave the profession.

Public education is one of the most important responsibilities of State and local government. Operation of our public schools is the last bulwark of local self-government. Those who desire continuation of our present system, with all its rights and responsibilities, should be willing to provide necessary financing from State and local funds rather than from the

general Federal aid which is now proposed in Washington.

SUMMARY OF APPROPRIATIONS RECOMMENDED

A summary of total budget recommendations plus these additional expenditures from the General Revenue Fund is attached hereto as Exhibit 3. If the college tuition increase is adopted as recommended, this would leave a total of \$479,964,734 to be paid in the next biennium from General Revenue or General Revenue affected funds. Deducting from this the Comptroller's estimate of revenue for the next biennium in the sum of \$273,620,395 leaves the total needed for new revenue at \$206,344,339, or an annual need for new revenue of \$103,172,169. I hasten to add that this does not include the estimated deficit of \$63 million. It means that even if the deficit is financed as a separate emergency matter, that an additional \$103 million would be necessary for the General Revenue Fund to supply these recommended appropriations.

SOURCES OF NEW REVENUE

Although it does not lessen the magnitude of our own problem, it is of interest to note that other comparable States have been faced and are now faced with even greater needs for new revenue. Only the States which are losing population have escaped fiscal problems comparable to ours. Our over-all fiscal situation is better than comparable States, because we have not previously been called upon to resort to the broad-based tax potentials which most of them have employed for many years. For years they have been spending and taxing more than Texas on a per capita basis. Only eight States in the Nation have lower total general expenditures per capita than Texas. Only ten States have lower per capita State taxes. It has been estimated that Texas has a potential of \$500 million per year in additional taxes if we used all the sources now being employed by a majority of the States. As indicated, none of this makes our task of levying more than \$100 million in taxes any less difficult. It simply shows that even after this is done, Texas will have lower per capita taxes and a better fiscal structure than most of the other comparable States in the Union.

The only thing that I know of which makes our task any easier than it was

two years ago is the fact that the people of Texas are better acquainted today with the financial needs of our State. Few of them will be advocating new taxes except on the other fellow, but I sincerely believe that more of our people are conscious of the need and the challenge with which we are faced and that they will strongly support our disposition of the problem without the costly delays and bitter wrangling which occurred two years ago.

Anticipating the great need for additional revenue, last April I appointed a State Finance Advisory Commission of thirty-six members, with former Senator John Redditt of Lufkin serving as chairman. The Commission had representatives of business, labor, schools, and practically all phases of the economy. It was asked to study our fiscal affairs and needs and to recommend a tax solution that would avoid enactment of a general retail sales tax or a state income tax since the Governor, the Lieutenant Governor, and a majority of the candidates for the Legislature had expressed opposition to these two taxes. The Commission and its subcommittees spent many days of last year working on this problem. Its report has been delivered to you. I adopt and recommend to you its proposal of a payroll-earnings tax as the best solution for new revenue. As stated by the Commission, (Report, pages 37-45), this tax would be easier to collect, less expensive, and less burdensome on both individuals and business than either a general retail sales tax or a graduated state income tax.

As an alternative, in case the Legislature does not approve the payroll-earnings tax, the Commission suggested a broadened excise tax which would increase some of the present selective levies and add many other items to the present selective sales or excise taxes. I adopt and recommend this as an alternative.

I realize that neither of these proposals will be welcomed with any widespread enthusiasm. I have not yet found any tax which has been so received. Usually it is a case of centering on the lesser of the evils, but center on one of them we must, if we are to discharge our responsibilities to our State and our people.

The time has come when we must face the fact that a broader based growth tax is necessary to meet the

present and future needs of Texas. Advocates of a state income tax and a general sales tax have faced this fact long ago. At least, the AFL-CIO which advocates a state income tax and the Texas Manufacturers Association and regional Chambers of Commerce, which advocate a general sales tax, have centered their support on plans which are tied with the growth of our State sufficiently to provide adequate State revenue. The burden is now upon those of us who oppose these two measures, and I believe we are definitely in the majority, to center affirmatively on an alternative growth tax which will likewise meet our present and future needs.

The State Finance Advisory Commission has presented at least two plans which would do the job. I have recommended them to you in the order of their presentation by the Commission. I will support and work for either of them that receives the widest acceptance in the Legislature. If any of you has a plan which receives wider acceptance, short of a general sales tax or an income tax, I will work for and support that plan.

The remainder of my recommendations are just as important but do not involve revenues in addition to what I have already mentioned.

LAW ENFORCEMENT

First, in the field of law enforcement there is a need for further improvements in the Criminal Code and Code of Criminal Procedure. The Texas Law Enforcement Study Commission in 1959 recommended 27 specific proposals, only three of which were enacted. I recommend the enactment of the remaining 24 proposals of this Commission.

I urge that the Legislature increase the minimum penalty for selling narcotics to five years from the present two years, and further strengthen our laws against the narcotics traffic.

Crime in our State is increasing four times more rapidly than population growth. Even more tragic is the fact that 50% of the major crimes are committed by boys and girls 17 years of age and under.

As heretofore stated, in addition to an increase in the number of adult parole officers, I have recommended the establishment of a similar paid parole system for juveniles. We have greatly improved our correctional schools since the Texas Youth Coun-

cil was created in 1957. Now we should provide adequate supervision for those paroled from the schools.

An average of 1,850 children are on parole at any given time, and 35% of them are eventually returned for parole violations. Even though charged with the responsibility of supervision of these parolees, the Youth Council does not have funds for a single staff member to carry out this task. Supervision is now being done by persons or agencies on a volunteer basis. The small cost of a paid parole system will be more than offset by better rehabilitation of juvenile offenders.

HIGHWAY SAFETY

In another area of law enforcement—improved safety on our streets and highways—great progress has been made during the past four years, but much more is necessary. When I became Governor in 1957, the most tragic statistics I saw was the record number of 2,611 people killed, and over 100,000 injured, in traffic accidents in the previous year of 1956.

With the assistance of the Legislature, I initiated a highway safety program from the Governor's Office in an effort to help reduce this slaughter. More intensive public education, closer cooperation with local law enforcement authorities, and efforts to reduce highway hazards have resulted in the saving of many lives. In 1957 there were 72 fewer deaths than in 1956; in 1958, there were 269 fewer deaths than in 1956; in 1959, there were 158 less; and in 1960, preliminary figures show there were 323 fewer deaths than in 1956.

In four years we have used public education and public agencies to help reduce the death rate down to 5.3 fatalities for every 100 million miles traveled, the lowest rate in our State's history. However, this death toll can be reduced even more—even below 2,000 per year—if these additional steps which I recommended are enacted:

1. Complete revision of the driver licensing law to remove from the highway those drivers whose own records prove they cannot or will not drive safely and legally. This law has had no major improvements since its enactment in 1941.

2. A medically-accepted chemical test law for use in cases of driving while intoxicated.

3. A new system of traffic courts.

4. Approval of 100 additional highway patrolmen for each year of the next biennium and needed salary increases, both previously recommended in my budget.

WATER PLANNING AND DEVELOPMENT

In the field of water planning, development, and conservation, we have every right to be proud of the progress made in recent years. To continue this progress, I recommend:

1. Enactment of proposals made by the State Board of Water Development to remove the present limitation on State financial assistance of one-third of project cost; raise the presently authorized ceiling on loans for water supply projects from \$5 million to \$15 million; strengthen the requirement that applicants for loans shall show inability to obtain financing elsewhere; and liberalize the investment procedures of the Board.

2. Submission of a Constitutional Amendment to provide acquisition of conservation storage in reservoirs undertaken by Federal or State agencies or others, with the Water Development Board authorized to purchase such storage out of its present \$200 million bond program.

3. Increased appropriations to the Board of Water Engineers to strengthen its research and planning functions, as recommended in my budget document.

4. Adoption of a reorganization plan for the Board of Water Engineers, separating the engineering services under a Chief Engineer from the quasi-judicial and discretionary functions under a full-time, three-member Board. The present Board recently adopted this type of operation, but it should be fixed by statute so that future boards cannot depart from it. I also recommend that the name of this Board be changed to the Texas Water Commission to reflect more adequately its true responsibilities.

5. Establishment of a Special Committee on Abating Water Pollution to study all aspects of pollution of surface and underground water resources, with the object of recommending legislation on the subject at this session of the Legislature.

6. A study of the feasibility of enacting a system of water use fees to

assist in the financing of water planning and administration.

OTHER SUBJECTS

I also recommend for your consideration the following matters:

—Small loan legislation to carry out the intent of the recent constitutional amendment, including strict supervision and regulation of those who engage in this business.

—Restoration of full-time salaries for the State Board of Insurance.

—Expansion of our program for the mentally ill and the mentally retarded, as detailed in my budget.

—Constitutional revision for greater efficiency of State and local government, in line with the studies of the Texas Legislative Council and the citizens' committee established in 1957, and adoption of the amendment providing equal legal rights for women.

—Adequate financing of the Texas Industrial Commission and the tourist program of the Highway Department as recommended in the Executive Budget.

—An increase in the present \$28 maximum payment under the Texas Unemployment Compensation Law.

—Adoption of a State Radiation Control Act and participation by Texas in the Southern Interstate Nuclear Compact.

—An appropriation of \$177,000 per year for the operating expenses of Soil Conservation Districts.

—Legislative, Congressional, and Judicial redistricting.

—A complete study looking toward the reorganization of State government and its fiscal system.

I also ask your consideration of two important reports which are available to you as the result of the Governor's Conference on Children and Youth and the Governor's Conference on

Aging, both representing many months of hard work and study by interested citizens in all parts of Texas.

I also urge your consideration of important Legislative Council proposals, including additional legislation for protection and development of our coastal beaches and submerged lands. With the fund requested of and provided by the 56th Legislature, we successfully defended our State's title under the 1953 Submerged Lands Act all the way out to our original three-league boundary in the Gulf of Mexico. We won a decision of the Supreme Court of the United States upholding this historic boundary and forever ending Federal claims to this property. It is now important that we bring our State laws up to date in this area.

These are my recommendations. I will be pleased to receive yours at any time. I conclude with only one further observation—the size of our task calls for prompt, courageous and constant work on the part of all of us. The earlier we arrive at our solutions, especially with regard to taxes, the better they will be received by the people who elected us to do this job. The disputes and delays which occurred two years ago caused more criticism than the taxes which were finally enacted. As a distinguished official said last week, "A tax bill passed in April will be far more popular than the same bill passed in October."

With memory of the costly delays of 1959 and so many predictions of more delays and special sessions this year, I believe the people of Texas will welcome with hearty approval our diligent efforts to solve our problem within the time allotted for this Regular Session. To that end I pledge you my hope and faith and my complete and continuous co-operation.

EXHIBIT 1

REVENUE MEASURES TO RETIRE DEFICIT

1. Levy additional 3% natural gas production tax for one year . . .	\$ 22,500,000
2. Enact two-factor formula for interstate corporations in computing corporation franchise tax	10,000,000
3. Transfer Colson-Briscoe Farm to Market Road financing from General Fund to Highway Fund	15,000,000
4. Enact enforcement provisions for present escheat law	17,000,000
Total	\$ 64,500,000

EXHIBIT 2
PUBLIC EDUCATION*

	Increased Cost Biennium Ending August 31, 1963	Total
Recommendations requiring increased expenditure:		
1. Teacher Salary Increase (\$600) as recommended by Hale-Aikin Committee (9 month school year)	\$ 90,576,000	
2. Increment Increase (\$6 per mo.)	5,309,000	
3. Transportation Formula Adjustment	4,574,000	
4. Increase in Maintenance & Operation Allowance (From \$350-400 to \$525 per professional unit)	14,866,000	
5. Driver Education	4,300,000	
6. Teacher's Retirement	7,821,000	
Total Increased Cost		\$127,446,000
	Savings for 1961-63 Biennium	
Recommendations resulting in reduced expenditures:		
7. Elimination of \$100 Credit in Local Fund Assignment	\$ 17,448,000	
8. Include Cost of Texas Education Agency in the Foundation School Program	566,000	
9. Finance County School Administration from Local Sources	5,246,000	
10. Redefine Scholastic as Pupil in Average Daily Attendance	139,000	
11. Re-allocate Revenue to the Foundation School Fund	1,124,000	
Total Saving for the Biennium		\$ 24,523,000
Net Increase		<u>\$102,923,000</u>

*As recommended by State Finance Advisory Commission (Report, pp. 1-8), except teachers salary increase set at \$600 instead of \$400, and driver education has been added.

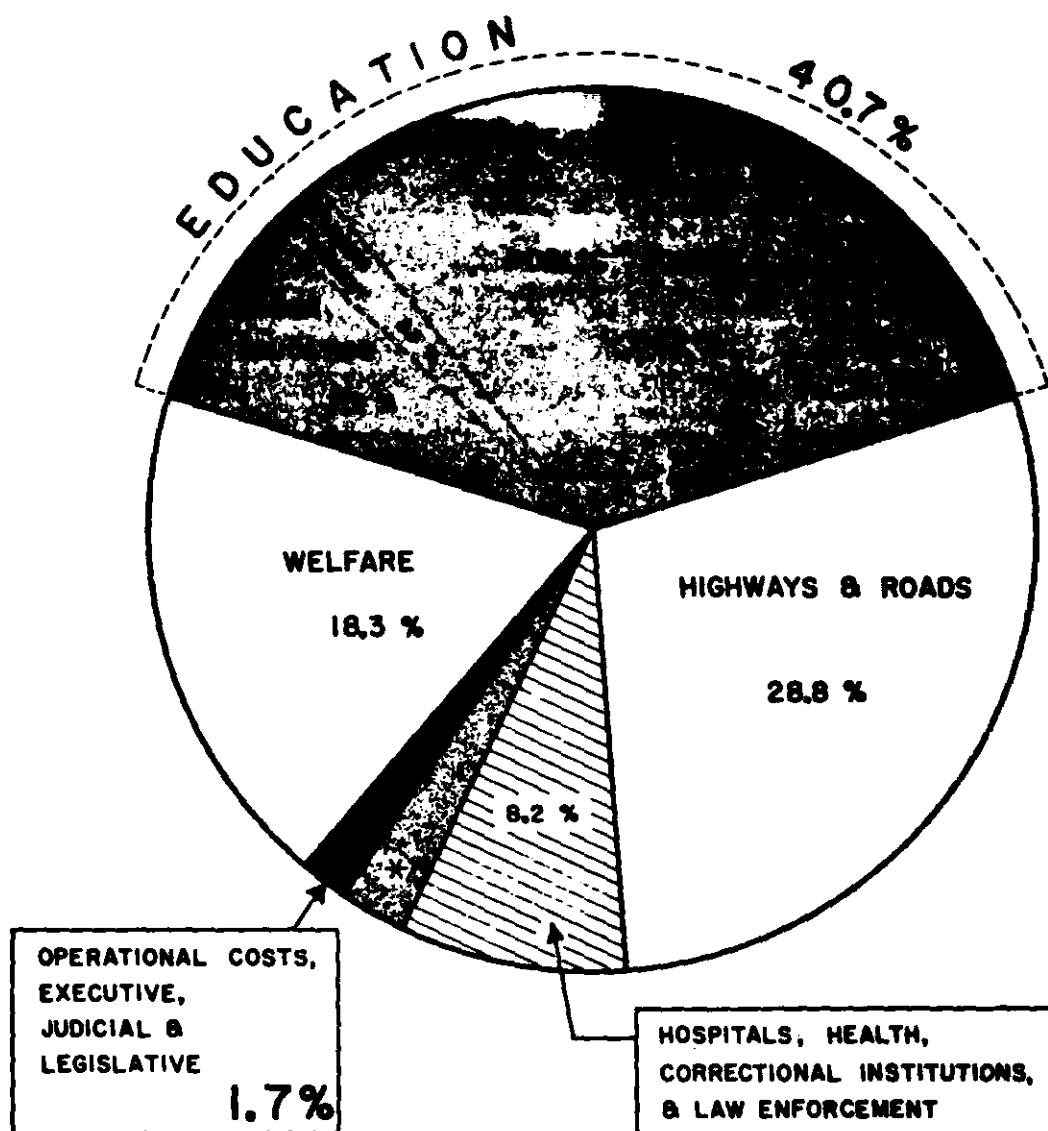
EXHIBIT 3
SUMMARY OF RECOMMENDED APPROPRIATIONS FROM
GENERAL REVENUE OR GENERAL REVENUE AFFECTED FUNDS
BIENNIUM ENDING AUGUST 31, 1963

	Original Budget Document	Additions and Credits	Total
1. Article I—Judiciary	\$ 9,469,736	\$	\$ 9,469,736
2. Article II—Hospitals and Special Schools	107,812,030		107,812,030
3. Article III — Departments and Agencies	74,226,132		74,226,132
a. Medical Payments for Welfare Recipients ...		15,892,000	15,892,000

b. Soil Conservation Districts — Operating Expense	354,000	354,000
4. Article IV—Education—Colleges, Public Schools & Junior Colleges	184,537,836	184,537,836
a. Credit for College tuition increase of \$50 per semester proposed in State Finance Advisory Commission Report (p. 11)	(20,000,000)	(20,000,000)
b. Public School Program proposed in State Finance Advisory Commission Report (p. 8), with teacher salary increase at \$600 instead of \$400, plus driver education. See Exhibit 2, attached hereto.	102,923,000	102,923,000
5. Legislative Expense	4,750,000	4,750,000
	<u>\$376,045,734</u>	<u>\$103,919,000</u>
		<u>\$479,964,734</u>
Less: Comptroller's Estimate of Revenue		(273,620,395)
Biennial Need from New Revenue		<u>\$206,344,339*</u>
Annual Need from New Revenue		<u>\$103,172,169*</u>

*This does not include estimated deficit of \$63,116,954. (See Exhibit 1 for separate emergency plan to retire deficit.)

EXHIBIT 4
WHERE YOUR STATE TAX DOLLAR GOES
 (Based on 1958 figures)



*ALL OTHERS		
Regulation of Business & Industry		.2%
Development & Conservation of Natural Resources		1.0
Parks, Monuments & Museums		.1
Payment of Public Debt		.3
State Employee Retirement—General Revenue Only		.3
Miscellaneous & General Revenue OASI		.4
TOTAL		2.3%

GOVERNOR'S OFFICE
FINANCIAL STATEMENT AS OF DECEMBER 31, 1960

Budget For the Year Ending
 Item No. August 31, 1961

Out of General Revenue Fund:			
Administrative Division:			
For Salaries and Wages:			
	Amount of	Spent	Balance
	Appropriation	(4 months)	
1. Governor	\$ 25,000.00	\$ 8,333.32	\$ 16,666.68
2. Lieutenant Governor, Acting	2,560.64	544.32	2,016.32

3. Executive Assistant	15,000.00	5,000.00	10,000.00
4. Administrative Assistants, NTE \$12,000	24,000.00	8,000.00	16,000.00
5. Administrative Assistant	7,500.00	2,500.00	5,000.00
6. Clemency Assistant	6,120.00	1,600.00	4,520.00
7. Executive Secretaries, NTE \$4,800	9,960.00	3,320.00	6,640.00
8. Personal Secretary to Governor	4,980.00	1,660.00	3,320.00
9. Secretaries, NTE \$3,600	37,440.00	12,233.12	25,206.88
10. Capitol Receptionist	3,600.00	1,200.00	2,400.00
11. Assistant to Capitol Receptionist	2,700.00	841.95	1,858.05
12. Receptionist—Telephone Operator	3,108.00	1,036.00	2,072.00
13. Chief of Files, Mail and General Services	4,380.00	1,460.00	2,920.00
14. Assistant Chief of Files	3,180.00	1,005.00	2,175.00
15. Clerks and Mailman, NTE \$2,072	5,380.00	1,624.85	3,755.15
16. Clerks, NTE \$2,072	6,216.00	2,244.60	3,971.40
17. Seasonal Help	4,800.00	4,584.98	215.02
Sub-total, Salaries and Wages	165,924.64	57,188.14	108,736.50
For Other Expenses:			
18. Texas Membership in Council of State Governments	31,500.00	31,500.00
19. Texas Membership in Governors' Conference	100.00	100.00
20. For receptionist supplies, equip- ment, amplifier, materials and de- scriptive leaflets on the State Cap- itol for school children and other visitors to the Capitol Building	1,500.00	94.65	1,405.35
21. For books, stationery, supplies, office equipment, postage, freight, carpeting, furniture, repairs, tele- phone, telegraph, contingent ex- penses, payment of rewards and other expense necessary for law enforcement, traveling expense of Governor, Lt. Governor while Act- ing Governor, and of members of the Governor's staff	45,018.48	9,934.81	35,083.67
22. Mansion furnishings, fixtures, equipment, supplies, chinaware, silver, furniture, linen, landscap- ing, repairs, utilities, telephone, telegraph, wages, salaries, labor and contingent for maintenance and upkeep of Governor's Mansion and grounds	32,451.92	5,303.75	27,148.17
Total, Administrative Division	\$276,495.04	\$104,021.35	\$172,473.69
Budget Division:			
23. For salaries, wages and necessary operating expenses required for the preparation of the executive budget recommendations, which amount is to be budgeted by the Governor	40,060.00	12,458.21	27,601.79
Civil Defense and Disaster Relief Division:			
For Salaries and Wages:			
24. State Coordinator	10,000.00	3,333.32	6,666.68
25. Administrative Officer	7,748.00	2,582.64	5,165.36
26. Plans and Operations Officer	6,600.00	2,200.00	4,400.00
27. Training and Education Officer	5,580.00	1,635.00	3,945.00
28. Fiscal Officer	5,160.00	1,720.00	3,440.00
29. Administrative Secretary	4,020.00	1,340.00	2,680.00

30. Plans and Operations Secretary ..	3,780.00	1,260.00	2,520.00
31. Program Clerk	3,780.00	1,200.00	2,580.00
32. Receptionist-Secretary	3,240.00	815.00	2,425.00
33. Clerk	2,940.00	980.00	1,960.00
34. File Clerk-Typist	2,580.00	570.00	2,010.00
Sub-total, Salaries and Wages	55,428.00	17,635.96	37,792.04
For Other Expenses:			
35. Consumable Supplies and Materials Current or Recurring Operation Expenses, and Capital Outlay	28,600.00	8,298.50	20,301.50
Total, Civil Defense and Disaster Relief Division	84,028.00	25,934.46	58,093.54
Federal and Interstate Relations:			
36. To be expended by the Governor for salaries, travel and other expenses in conducting relations of the State with the United States Government and with other States, including defense of the property and rights of the State against encroachments and claims	17,980.00	4,693.32	13,286.68
Deficiency Grants:			
37. For the payment of claims arising prior to the convening of the next Legislature under grants approved by the Governor in accordance with Article 4351, R.C.S.; and for grants of aid in cases of drought, flood, disaster, catastrophe or calamity, the need for, and amount of such aid to be determined by the Governor; and for legal defense of State Officials, and employees against whom indemnity actions may be brought	\$140,342.00	\$ 65,000.00	\$ 75,342.00
Total, General Revenue	\$558,905.04	\$212,107.34	\$346,797.70
Out of State Highway Fund, No. 6:			
38. Traffic Safety Director	\$ 12,000.00	\$ 4,000.00	\$ 8,000.00
39. Secretary	3,300.00	1,100.00	2,200.00
Total, out of State Highway Fund	\$ 15,300.00	\$ 5,100.00	\$ 10,200.00
Out of Oil and Gas Enforcement Fund, No. 79:			
Interstate Oil Compact Commission:			
40. For the payment of Texas' share of expenses for the maintenance and operation of the Intrastate Oil Compact Commission, and of expenses of the Governor's Office related to the program of that Commission, there is hereby appropriated	\$ 28,000.00	\$ 322.42	\$ 27,677.58
GRAND TOTAL, GOVERNOR'S OFFICE	\$602,205.04	\$217,529.76	\$384,675.28

NOTE: Increases in salaries authorized by Art. V, Sec. 42, H. B. 4, 56th Legislature, 3rd Called Session, have been added where applicable. Any unexpended balances in the appropriations for Item 21 in the Administrative Division, Item 35 in the Civil Defense and Disaster Division, and

Item 23 in the Budget Division as of August 31, 1960, are respectively re-appropriated for the same purposes for the fiscal year beginning September 1, 1960.

The Governor's Office may require agencies of the State of Texas appearing before Federal agencies or the agencies of other States to submit in writing to the Governor the purpose of such meetings and expression of the policies of the State agency concerning the subject matter of the meeting. After reviewing the policies, the Governor may require the State agency to conform to the policies of the State of Texas as outlined by the Governor and the Legislature before funds appropriated in this Act may be expended for necessary travel and other expenses connected with such appearances.

The Governor's office is authorized to make expenditures from Item 36 above, Federal and Interstate Relations, for expenses connected with nuclear development studies by the regional organization set up by the Southern Governor's Conference for which the Council of State Governments is the fiscal agent.

Federal Funds:

The Government of the United States advances funds on a revolving basis to the Civil Defense and Disaster Relief Division of the Governor's Office. The Defense Division supervises the efforts and approves requests for reimbursement of funds expended by political subdivisions in case of emergencies within the State.

Fund No.	Purpose	Amount Advanced	For the Years Ending August 31, 1961	
			Spent or Returned	Balance
92-1	Flood and Tornado Disaster Relief Fund	\$ 87,811.35	\$ 24,642.63	\$ 63,168.72
221-1	Civil Defense and/or Disaster Relief Fund	7,537.41	3,074.63*	4,462.78
		<u>\$ 95,348.76</u>	<u>\$ 27,717.26</u>	<u>\$ 67,631.50</u>

*Fund 221-1 is the only Federal Fund from which any administrative expenses of this office may be paid. Expenditures for the current year are:

Salaries	\$ 2,073.20
OASI & Retirement	
Matching	162.20
Travel Expense	839.23
	<u>\$ 3,074.63</u>

Representative Percy then presented Mrs. Jean Daniel, the wife of Governor Daniel, and Miss Ellan Daniel, the sister of Governor Daniel to the Joint Session.

At the conclusion of the address by Governor Daniel, the President announced the purpose of the Joint Session concluded and requested the Senators to retire to the Senate Chamber.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:28 o'clock a.m.

Adjournment

On motion of Senator Aikin the Senate at 11:29 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Herbert C. White

Senator Dies offered the following resolution:

(Senate Concurrent Resolution 6)

Whereas, On January 14, 1961, the County of Angelina and the State of Texas lost an esteemed citizen in the passing of Herbert C. White; and

Whereas, Herbert C. White, as President of Temple-White Company, Inc., of Diboll, Texas had contributed greatly to the betterment of the economy of the deep East Texas area by utilizing what was once considered waste wood to manufacturing handles; and

Whereas, Since 1907 the Temple-White Company, Inc. has manufactured more than one-half billion handles; and

Whereas, Herbert C. White was a devoted Christian, a devoted, unselfish and loving husband, father and grandfather, and a true patriot; and

Whereas, His life was exemplary of the courage that shows itself in the day by day facing, forthrightly, the problems and challenges of life, through wisdom that shows itself in simplicity and Christian ideals that find their expression in living a good life; and

Whereas, He is survived by his devoted and faithful wife, Mrs. Pearl White; two children, Herbert C. White, Jr. and Mrs. Martin Dies, Jr.; one brother, H. B. White; five grandchildren, Herbert C. White III, Marilyn White, Martin W. Dies, Dianne Dies, and David Dies; now therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Senate and House adjourn this day in respect to Herbert C. White and that a copy of this resolution be sent to his family as a tribute from the Texas Legislature.

DIES

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Calhoun, Colson, Creighton, Crump, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Roberts, Rogers, Schwartz, Secrest, Smith, Weinert, Willis.

The resolution was read.

On motion of Senator Smith and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.